

Notice of Allowability

Application No.

10/634,526

Examiner

Dmitry Suhol

Applicant(s)

LIU, BIHUA

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's amendment filed 5/16/2005.
2. ☒ The allowed claim(s) is/are 16-25.
3. ☒ The drawings filed on 05 August 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



**DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700**

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lucy Yang on June 9th, 2005.

The application has been amended as follows:

Claim 16, line 6, after "e) depositing..." delete "one or multiple".

Claim 16, line 17, before "...the painted canvas..." insert - - preparing - -.

Claim 16, line 17, after "...the painted canvas..." delete "comprising" and insert -
- comprises the - -.

Claim 16, line 22, after "d) depositing..." delete "one or multiple".

Claim 17, line 3, after "b) preparing a masking paper" insert - - that has a hollow
space of the desired objects - -.

Claim 17, line 11, before "...the painted canvas..." insert - - preparing - -.

Claim 17, line 11, after "...the painted canvas..." delete "comprising" and insert -
- comprises the - -.

Claim 17, line 16, after "d) depositing..." delete "one or multiple".

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The specific limitations of (with respect to claim 16) "...preparing a painted canvas...preparing a masking paper that has a hollow space of the desired objects...placing a blank transferring paper inside a base pan...moisturizing the blank transferring paper to form a film of water...depositing flowing colors on the wetted blank transferring paper...directing the flowing colors to flow freely and mix with each other...placing the masking paper on the top of the transferring paper...placing the painted canvas on the top of the masking paper wherein the painted side of the painted canvas faces the masking paper and the transferring paper...transferring the flowing colors from the transferring paper to the painted canvas; wherein the flowing colors is a mixture of an oil-based pigment and an oil in a ratio from about 1:1 to about 5:1 (pigment: oil)..." and (with respect to claim 17) "...preparing a painted canvas...preparing a masking paper that has a hollow space of the desired objects...placing the painted canvas in a base pan wherein the painted side faces up...placing a masking paper on top of the painted canvas...moisturizing a surface of the masking paper evenly...depositing flowing colors on the wet surface of the masking paper...allowing the flowing colors over the hollow space, wherein the flowing colors is a mixture of an oil-based pigment and an oil in a ratio from about 1:1 to about 5:1 (pigment: oil)..." are not anticipated or made obvious over the prior art of record in the examiners opinion. For example, "Water Art" discloses a method for making a painted canvas which teaches placing a blank canvas inside a base pan, moisturizing the blank canvas to form a film of water and depositing one or multiple flowing colors on the wetter blank canvas (read onto the step of placing

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the paper into the water/paint mixture as it accomplishes all of the claimed method steps), directing the colors to flow freely and mix with each other (read onto the step of dribbling the dilute oil paint onto water and swirling the mixture), allowing the colors to dry (described by the step of letting the art dry). Talmas discloses an activity like that of "Water Art", which teaches that it is known to move the base pan which holds the canvas in order to mix the colors fully. However, prior art of record fails to disclose or teach the additional method step as claimed and stated above including the use of transferring paper and a masking paper.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Suhol whose telephone number is 571-272-4430. The examiner can normally be reached on Mon - Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ds

A handwritten signature in black ink, appearing to read 'D. Banks', with a long horizontal line extending to the right.

DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
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424/84

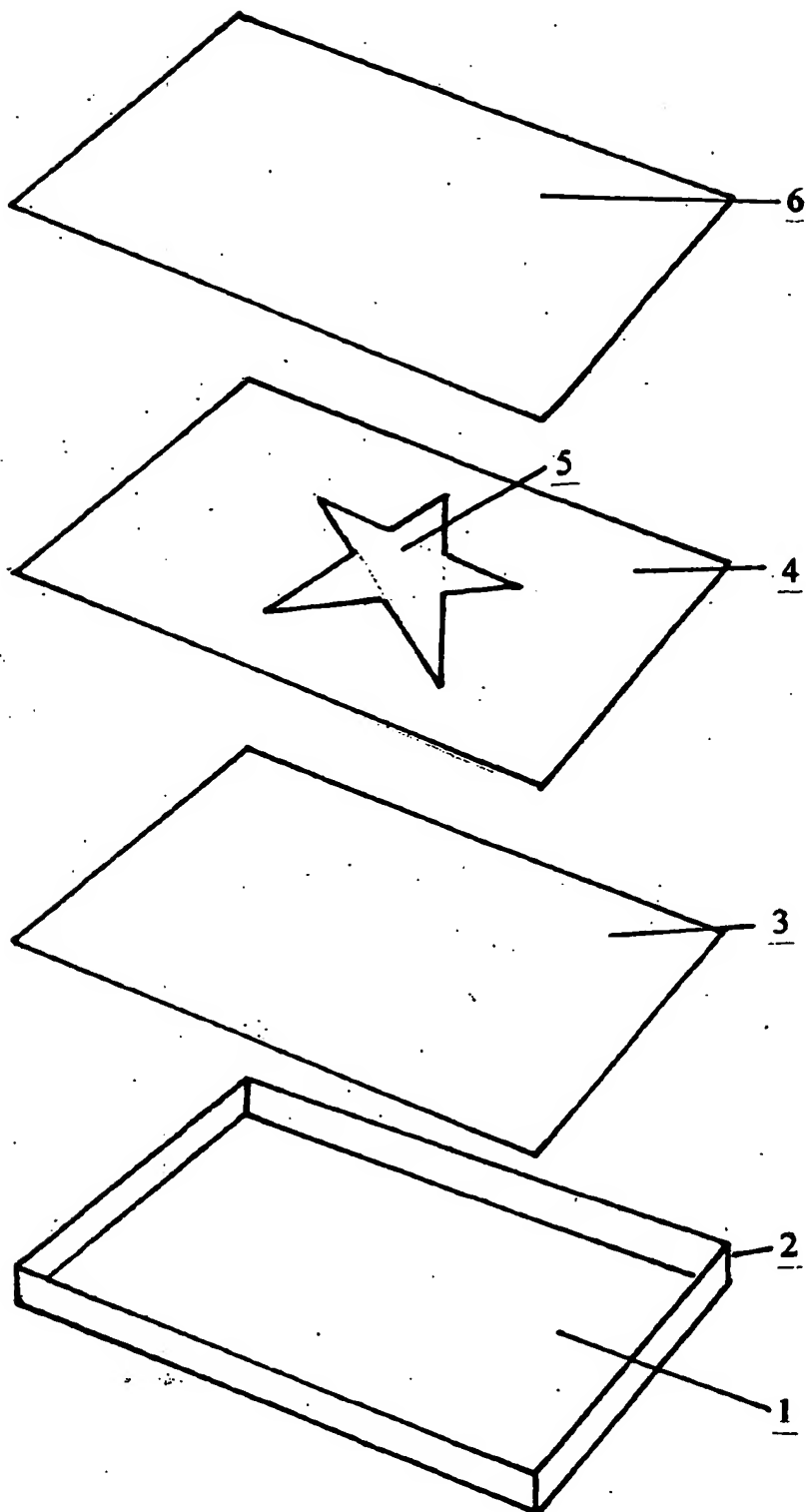


Figure 1